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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,424	01/20/2004	Chikuni Kawakami	0879-0426P	7763

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EXAMINER	
WANG, KENT F	

ART UNIT	PAPER NUMBER
2622	

NOTIFICATION DATE	DELIVERY MODE
12/11/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	10/759,424	KAWAKAMI, CHIKUNI	
	Examiner	Art Unit	
	Kent Wang	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 September 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

4a) Of the above claim(s) *3 and 4* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,5 and 6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. [redacted].
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendments, filed on 09/18/2007, have been entered and made of record. Claims 3-4 have been withdrawn. Claims 1-6 are pending.

Response to Arguments

2. Regarding the Discrepancies in Office Action Summary, the drawings have been accepted and the certified copies of priority document have been posted in the PAIR.
3. Applicant's arguments with respect to claims 1-2 and 5-6 have been considered but are moot in view of the interpretation of the original cited references.
   - The applicant argues that Kawakami does not teach or suggest measuring a color temperature actually emitted from the flash device and recording a white balance correction value based on the measurement result. The Examiner respectfully disagrees. In Para. [0020] and [0125]-[0133], Kawakami teaches that the measurement of the color temperature of the subject light source (the type of the subject light source) is determined based on the R, G, B signals obtained from the CCD 114.
   - The applicant argues that Nakayama fails to teach or suggest at least the claimed storing "correction information and modification information for correcting the correction information" and fails to teach that the correction information is modified using the modification information, as recited in claim 2. The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. The correction

information is stored in correction device (hue correction 317, Fig 4) and the modification information for correcting the correction information is stored in a source storage device (hue data B 319 or hue data A 318, Fig 4) (col. 9, lines11-35).

- The applicant argues that Nakayama fails to disclose a light-emitting diode as a flash light source. The examiner understands the applicant's arguments but respectfully disagrees with the applicant's assessment. Examiner relied on Kawakami to teach the LED as a flash light source. Thus claim 2 is obvious over the combination of Nakayama and Kawakami.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1 and 5 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kawakami, US 2002/0025157.

Regarding claim 1, Kawakami discloses a digital camera having an electronic flash device using a light-emitting diode as a flash light source, comprising:

- a storage device (CPU 138, Fig 13, a CPU gave implicit that a memory is inherent within) which stores correction information (average values of the R, G, and B signals) for correcting white balance of an image obtained by flash shooting using the electronic flash device (electronic flash 146, Fig 13), the storage device (CPU 138, Fig 13) storing the correction information (average values of the R, G, and B signals) set based on a detection result of a color temperature (the color temperature is

determined according to the R, G, and B signals obtained from the CCD 114, Fig 13) of light actually emitted from the electronic flash device (electronic flash 146, Fig 13) ([0126]-[0133]); and

- a white balance correcting device (CPU 138, Fig 13) which corrects white balance of the image obtained by flash shooting using the electronic flash device (electronic flash 146, Fig 13) based on the correction information (average values of the R, G, and B signals) stored in the storage device (CPU 138, Fig 13) ([0121], [0130]-[0133]).

Regarding claim 5, Kawakami discloses an input device for inputting the white balance correction information (to manually correct the white balance, the user chooses the record mode with the record mode/play mode switch 106 and selects the manual shooting mode with the mode dial 101. Then, the user pushes the execution key 108 to display a menu for setting the white balance on the liquid crystal monitor 152 as shown in Fig 12), wherein the storage device (CPU 138, Fig 13) stores the white balance correction information (average values of the R, G, and B signals) inputted through the input device (mode switch 106 and mode dial 101, Fig 12) ([0124]-[0126]).

6. Claim 1 is rejected under 35 U.S.C. § 102(b) as being anticipated by Kitajima, US 5,808,681.

Regarding claim 1, Kitajima discloses a digital camera (electronic still camera) having an electronic flash device (a strobe 10, Fig 1) as a flash light source, comprising:

- a storage device (a CPU 12, Fig 1) which stores correction information (AWB control values) for correcting white balance of an image obtained by flash shooting using the electronic flash device (a strobe 10, Fig 1), the storage device (a CPU 12, Fig 1)

storing the correction information (AWB control values) that is set based on a detection result of a color temperature (color temperature information data from the color measuring sensor 9 is input into the CPU 12) of light actually emitted from the electronic flash device (the CPU 12 causes the strobe 10 to emit a flash of light so that the exposure is performed) (col. 5, lines 45-47 and col. 6, lines 13-28); and

- a white balance correcting device (a CPU 12, Fig 1) which corrects white balance (automatic white balance) of the image obtained by flash shooting using the electronic flash device (a strobe 10, Fig 1) based on the correction information stored in the storage device (a CPU 12, Fig 1) (col. 5, lines 22-35 and col. 6, lines 13-28).

Claim Rejections - 35 USC § 103

7. Claims 2 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawakami in view of Nakayama, US 6,963,362.

Regarding claim 2, Kawakami discloses digital camera (electronic camera) having an electronic flash device (electronic flash 146, Fig 13) using a light-emitting diode as a flash light source, comprising:

- a storage device (CPU 138, Fig 13) which stores correction information (average values of the R, G, and B signals) for correcting white balance of an image obtained by flash shooting (electronic flash 146, Fig 13) (0122], Kawakami),
- a white balance correcting device (CPU 138, Fig 13) which corrects white balance of the image obtained by flash shooting (electronic flash 146, Fig 13) based on the

correction information (average values of the R, G, and B signals) stored in the storage device (CPU 138, Fig 13) ([0121]-[0122], Kawakami).

Kawakami does not disclose the digital camera comprises the modifying devices for correcting the white balance.

Nakayama discloses a digital camera comprises:

- a modification information storage device (hue data B 319 or hue data A 318, Fig 4) which stores modification information for correcting the correction information stored in the storage device (hue correction 317, Fig 4), the modification information storage device (hue data B 319 or hue data A 318) storing the modification information required to make the correction information stored in the storage device (hue correction 317) coincident with correction information set based on a detection result of light actually emitted from the electronic flash device (col. 9, lines 11-34 and Fig 4, Nakayama),
- a modifying device (hue correction 317, Fig 4) which modifies the correction information based on the modification information stored in the modification information storage device (hue data B 319 or hue data A 318, Fig 4) (col. 9, lines 17-34 and Fig 4, Nakayama); and
- the white balance correcting device (hue correction 317, Fig 4) corrects the white balance of the image obtained by flash shooting based on the correction information modified by the modifying device (color balance is simply corrected in accordance with correction data prepared for use with the flash apparatus) (col. 9, lines 11-16, Nakayama).

Kawakami and Nakayama are analogous art because they are from the same field of endeavor of an electric flash device using white balance correcting device to correct white balance of an image obtained by flash shooting. At the time of the invention, it would have been obvious to a person of the ordinary skill in the art to use Nakayama's modified devices in Kawakami's digital camera. The suggestion/motivation would have been to enable the modified devices to achieve optimum color balance when a picture is taken using the flash apparatus (col. 9, lines 46-53, Nakayama).

Regarding claim 6, Nakayama discloses an input device (flash controller 315, Fig 4) for inputting the modification information, wherein the modification information storage device (hue data B 319 or hue data A 318, Fig 4) stores the modification information inputted through the input device (the flash control circuit 315 controls the switch 320 such that the switch 320 selects hue data A 318 when the flash apparatus is not used while the switch 320 selected hue data B319 when the modification information from flash apparatus is used) (col. 9, lines 30-34, Nakayama).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until

after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc-Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NGOC-YEN VU
SUPERVISORY PATENT EXAMINER